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JOURNAL
OF THE
CONVENTION

OF
Virginia;

HELD IN THE
CITY OF RICHMOND,

ON THE

FIRST MONDAY IN JUNE,

IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND
EIGHTY-EIGHT,

RICHMOND:

PRINTED BY THOMAS W. WHITE,

Main-st. opposite the Bell Tavern.

.....
1827.

THE

DELEGATES

RETURNED TO SERVE

In Convention,

MARCH, 1788.

*Accomack,
Albemarle,
Amelia,
Amherst,
Augusta,
Bedford,
Berkeley,
Botetourt,
Bourbon,
Brunswick,
Buckingham,
Campbell,
Caroline,
Charlotte,
Charles City,
Chesterfield,
Cumberland,
Culpeper,
Dinwiddie,
Elizabeth City,
Essex,
Fairfax,
Fayette,
Fauquier,
Fluvanna,
Frederick,
Franklin,
Gloucester,
Goochland,
Greenbrier,
Greensville,
Halifax,
Hampshire,
Hanover,
Harrison,
Hardy,
Henrico,
Henry,*

Edmund Custis,
George Nicholas,
John Pride,
William Cabell,
Zachariah Johnston,
John Trigg,
William Dark,
William Fleming,
Henry Lee,
John Jones,
Charles Patterson,
Robert Alexander,
Hon. Edm'd Pendleton,
Thomas Read,
Benjamin Harrison,
David Patterson,
Joseph Michaux,
French Strother,
Joseph Jones,
Miles King,
James Upshaw,
David Stuart,
Humphrey Marshall,
Martin Pickett,
Samuel Richardson,
John S. Woodcock,
John Early,
Warner Lewis,
John Guerrant,
George Clendinen,
William Mason,
Isaac Coles,
Andrew Woodrow,
Parke Goodall,
George Jackson,
Isaac Vannimeter,
His Exc'y. E. Randolph,
Thomas Cooper,

George Parker.
Wilson Nicholas.
Edmund Booker.
Samuel Jordan Cabell.
Archibald Stuart.
Charles Clay.
Adam Stephen.
Martin McFerran.
Notlay Conn.
Binns Jones.
David Bell.
Edmund Winston.
James Taylor.
Hon. Paul Carrington.
John Tyler.
Stephen Pankey, jun.
Thomas H. Drew.
Joel Early.
William Watkins.
Worlich Westwood.
Meriwether Smith.
Charles Simms.
John Fowler.
Humphrey Brooke.
Joseph Haden.
Alexander White.
Thomas Arthur.
Thomas Smith.
William Sampson.
John Stuart.
Daniel Fisher.
George Carrington.
Ralph Humphreys.
John Carter Littlepage.
John Prunty.
Abel Seymour.
John Marshall.
John Marr.

<i>Isle of Wight,</i>	Thomas Pierce,	James Johnson.
<i>James City,</i>	Nathaniel Burwell,	Robert Andrews.
<i>Jefferson,</i>	Robert Breckenridge,	Rice Bullock.
<i>King & Queen,</i>	William Fleet,	John Roane.
<i>King George,</i>	Burdet Ashton,	William Thornton.
<i>King William,</i>	Holt Richeson,	Benjamin Temple.
<i>Lancaster,</i>	James Gordon,	Henry Towles.
<i>Loudoun,</i>	Stephens T. Mason,	Levin Powell.
<i>Louisa,</i>	William Overton Callis,	William White.
<i>Lunenburg,</i>	Jonathan Patteson,	Christopher Robertson.
<i>Lincoln,</i>	John Logan,	Henry Pawling.
<i>Madison.</i>	John Miller,	Green Clay.
<i>Mecklenburg,</i>	Samuel Hopkins, jun.	Richard Kennon.
<i>Mercer,</i>	Thomas Allen,	Alexander Robertson.
<i>Middlesex,</i>	Ralph Wormeley, jun.	Francis Corbin.
<i>Monongalia,</i>	John Evans,	William McClerry.
<i>Montgomery,</i>	Walter Crocket,	Abraham Trigg.
<i>Nansemond,</i>	Willis Riddick,	Solomon Shepherd.
<i>New-Kent,</i>	William Clayton,	Burwell Bassett.
<i>Nelson,</i>	Matthew Walton,	John Steele.
<i>Norfolk,</i>	James Webb,	James Taylor.
<i>Northampton,</i>	John Stringer,	Littleton Eyre.
<i>Northumberland,</i>	Walter Jones,	Thomas Gaskins.
<i>Ohio,</i>	Archibald Woods,	Ebenezer Zane.
<i>Orange,</i>	James Madison, jun.	James Gordon.
<i>Pittsylvania,</i>	Robert Williams,	John Wilson.
<i>Powhatan,</i>	William Ronald,	Thomas Turpin, jun.
<i>Prince Edward,</i>	Patrick Henry,	Robert Lawson.
<i>Prince George,</i>	Theodorick Bland,	Edmund Ruffin.
<i>Prince William,</i>	William Grayson,	Cuthbert Bullitt.
<i>Princess Anne,</i>	Anthony Walke,	Thomas Walke.
<i>Randolph,</i>	Benjamin Wilson,	John Wilson.
<i>Richmond,</i>	Walker Tomlin,	William Peachey.
<i>Rockbridge,</i>	William McKee,	Andrew Moore.
<i>Rockingham,</i>	Thomas Lewis,	Gabriel Jones.
<i>Russell,</i>	Thomas Carter,	Henry Dickenson.
<i>Shenandoah,</i>	Jacob Rinker,	John Williams.
<i>Southampton,</i>	Benjamin Blount,	Samuel Kello.
<i>Spottsylvania,</i>	James Monroe,	John Dawson.
<i>Stafford,</i>	George Mason,	Andrew Buchanan.
<i>Surry,</i>	John Hartwell Cocke,	John Allen.
<i>Sussex,</i>	John Howell Briggs,	Thomas Edmunds.
<i>Warwick,</i>	Cole Digges,	Richard Cary.
<i>Washington,</i>	Samuel Edmison,	James Montgomery.
<i>Westmoreland,</i>	Henry Lee,	Bushrod Washington.
<i>York,</i>	Hon. John Blair,	Hon. George Wythe.
<i>Williamsburg,</i>	James Innes,	
<i>Norfolk Borough,</i>	Thomas Mathews,	

JOURNAL

OF THE

CONVENTION.

At a Convention of Delegates from the several Counties and Corporations in the Commonwealth of Virginia, entitled by law to representation in the Legislature, held at the State-House, in the City of Richmond, on Monday, the second of June, one thousand seven hundred and eighty-eight, pursuant to the Resolutions of the General Assembly, of the twenty-fifth of October, one thousand seven hundred and eighty-seven, for the purpose of a full and free investigation, discussion and decision upon the plan of Federal Government for the United States, recommended by the late Federal Convention, held in Philadelphia,

MONDAY, June 2, 1788,

On which day, being the day appointed by the Resolutions of the General Assembly for the meeting of the Convention, such of the Members as appeared, attended at the State-House and took their seats in Convention; and a majority of the whole number being present:

Ordered, That Mr. John Beckley be appointed Secretary to the Convention.

The Honorable Edmund Pendleton was nominated, and unanimously elected, President to the Convention.

On motion,

Ordered, That the Reverend Abner Waugh be appointed Chaplain to the Convention; and that he attend to read prayers every morning in the House, immediately after the bell shall be rang for calling the House.

Ordered, That William Drinkard, senior, and William Drinkard, junior, be appointed Door-keepers to the Convention, and that they severally give their attendance accordingly.

On motion,

Ordered, That a Committee of Privileges and Elections be appointed:

And a committee was appointed, of Messrs. Benjamin Harrison, George Mason, His Excellency Governor Randolph, Henry, George Nicholas, John Marshall, Paul Carrington, Tyler, Alexander White, Blair, Bland, Grayson, Fisher, Mathews, John Jones, Wythe, William Cabell, James Taylor (of Caroline,) Gabriel Jones, Corbin, Innes, Monroe, Henry Lee, and Bullitt.

Ordered, That the Committee of Privileges and Elections do examine and report the returns for electing Delegates to serve in this Convention; and, that, in cases where no returns are made, it be an instruction to the said committee to receive such evidence as the sitting member shall produce of his election, and report the same to the Convention.

On motion,

Ordered, That Mr. Edmund Pendleton, junior, be appointed Clerk to the Committee of Privileges and Elections.

A petition of Thomas Stith, of the county of Brunswick, was presented to the House and read; complaining of an undue election and return of Binns Jones, Esquire, one of the Delegates returned to serve in this Convention for the said county of Brunswick:

Ordered, That the said petition be referred to the Committee of Privileges and Elections, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

On motion,

Ordered, That Mr. Augustine Davis be appointed Printer to the Convention; and that he cause to be struck, forthwith, two hundred copies of the Plan of Federal Government; also, two hundred copies of the Resolutions of the General Assembly of the twenty-fifth of October last, to be distributed among the Members of this Convention.

On motion,

Ordered, That the Convention be adjourned until to-morrow morning, eleven o'clock, then to meet at the new Academy on Shockoe Hill, in this City.

TUESDAY, June 3, 1788.

The Convention met at the New Academy on Shockoe Hill, pursuant to adjournment.

A petition of Richard Morris, of the county of Louisa, was presented to the House and read; complaining of an undue election and return of William White, Esquire, as one of the Delegates to serve in this Convention for the said county of Louisa:

Ordered, That the said petition be referred to the committee of Privileges and Elections, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

On motion,

Ordered, That Mr. William Pierce be appointed Serjeant at Arms to the Convention.

On motion,

Ordered, That Daniel Hicks be appointed a Door-keeper to the Convention, and that he give his attendance accordingly.

On motion,

Ordered, That the Rules and Orders for conducting business in the House of Delegates, so far as the same may be applicable to the Convention, be observed therein.

On motion,

The Resolution of Congress of the twenty-eighth of September last, together with the Report of the Federal Convention lately held in Philadelphia, the Resolutions of the General Assembly of the twenty-fifth of October last, and the Act of the General Assembly, entitled "An act concerning the Convention to be held in June next," were read; whereupon,

Resolved, That no question, general or particular, shall be propounded in this Convention upon the proposed Constitution of Government for the United States, or upon any clause or article thereof, until the said Constitution shall have been discussed, clause by clause, through all its parts.

On motion,

Resolved, That this Convention will, to-morrow, resolve itself into a committee of the whole Convention, to take into consideration the proposed Constitution of Government for the United States.

And then the Convention adjourned until to-morrow morning, eleven o'clock.

WEDNESDAY, June 4, 1788.

Mr. Harrison reported, from the committee of Privileges and Elections, that the committee had, according to order, examined the returns for electing Delegates to serve in this Convention, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

Resolved, that it is the opinion of this committee, That the returns for electing Delegates to serve in this Convention, for the counties of Albemarle, Amelia, Amherst, Bedford, Botetourt, Berkeley, Brunswick, Buckingham, Caroline, Charlotte, Charles City, Chesterfield, Culpeper, Cumberland, Dinwiddie, Elizabeth City, Fauquier, Fairfax, Fayette, Fluvanna, Frederick, Gloucester, Goochland, Greenbrier, Greenville, Halifax, Hampshire, Hardy, Harrison, Hanover, Henrico, Henry, James City, Jefferson, Isle of Wight, King George, King William, King and Queen, Lancaster, Lincoln, Loudoun, Louisa, Lunenburg, Madison, Mecklenburg, Mercer, Middlesex, Monongalia, Montgomery, Nansemond, New-Kent, Nelson, Norfolk, Northampton, Northumberland, Ohio, Orange, Pittsylvania, Princess Anne, Prince George, Prince William, Prince Edward, Powhatan, Randolph, Richmond, Rockbridge, Rockingham, Russell, Shenandoah, Southampton, Spottsylvania, Stafford, Surry, Sussex, Warwick, Washington, York, and of a Delegate for the borough of Norfolk, and city of Williamsburg, are satisfactory.

Mr. Harrison reported, from the committee of Privileges and Elections, that the committee had inquired into the elections of Delegates for the counties of Accomack and Franklin, and had agreed to a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that no returns have been made of the election of Delegates to serve in this Convention, for the counties of Accomack and Franklin; that as to the election of delegates for the said county of Accomack, it appears from the information of Nathaniel Darby, and Littleton Eyre, Esquires, that they were at the election of Delegates for the said county of Accomack, in March last, and that George Parker, and Edmund Custis, Esquires, (the sitting members) were proclaimed by the sheriff, at the close of the poll, as duly elected Delegates, to represent the said county in this Convention.

That, as to the election of delegates for the said county of Franklin, it appears to your committee, from the information of Robert Williams, Esq. that he was at the election of Delegates for the said county of Franklin, in March last, and that John Early, and Thomas Arthur, Esquires, (the sitting members) were proclaimed by the sheriff at the close of the poll, as duly elected Delegates to represent the said county in this Convention.

Resolved, that it is the opinion of this committee, That Edmund Custis, and George Parker, Esquires, were elected Delegates, to represent the said county of Accomack in this Convention.

Resolved, that it is the opinion of this committee, That John Early, and Thomas Arthur, Esquires, were elected Delegates, to represent the said county of Franklin in this Convention.

Ordered, That Messrs. Madison and Lawson, be added to the committee of Privileges and Elections.

A petition of Samuel Anderson, of the county of Cumberland, was presented to the House and read; setting forth, that Thomas H. Drew, Esq. one of the Delegates, returned for the said county, to serve in this Convention, was not, at the time of his election, a freeholder in this Commonwealth, and praying that the election of the said Thomas H. Drew may be set aside, and another election directed to supply his place.

Ordered, That the said petition be referred to the committee of Privileges and Elections; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, had the said proposed Constitution under their consideration, and had made some progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, eleven o'clock.

THURSDAY, June 5th, 1788.

Mr. Harrison reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the petition of Samuel Anderson to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth :

Resolved, that it is the opinion of this committee, That the petition of the said Samuel Anderson, praying that the election of Mr. Thomas H. Drew, a member returned to serve in this Convention, for the county of Cumberland, may be set aside and a new election had to supply his place, be rejected.

Mr. Harrison reported, from the committee of Privileges and Elections, that the committee had, according to order, examined the return of the election of delegates to serve in this Convention, for the county of Westmoreland, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth :

Resolved, that it is the opinion of this committee, That the return of the election of delegates to serve in this Convention, for the said county of Westmoreland, is satisfactory.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned, until to-morrow morning, ten o'clock.

FRIDAY, June 6th, 1788.

Mr. Harrison reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the petition of Thomas Stith, complaining of an undue election and return of Mr. Binns Jones, as a Delegate to this Convention, for the county of Brunswick, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth :

Resolved, that it is the opinion of this committee, That the usual rule, prescribing a time for the delivery of lists of persons to be objected to,

be dispensed with on this occasion, the petitioner having waived his right to require the same from the sitting member, and having agreed to deliver a list of persons to whom he objects, on or before twelve o'clock to-morrow.

Resolved, that it is the opinion of this committee, That the depositions of the witnesses, as well on behalf of the petitioner, as the sitting member, be taken before Thomas Edmonds, Benjamin Blick, Sterling Edmonds, Andrew Meade, John F. Edmonds, John Powell, and James Fletcher, gentlemen, or any four of them.

Resolved, that it is the opinion of this committee, That the farther consideration of the said petition be deferred until Wednesday, the eighteenth of this instant (June.)

The first and second resolutions being severally read a second time, were, on the question put thereupon, agreed to by the House.

The last resolution being again read, a motion was made, and the question put to amend the same, by striking out the words "Wednesday, the eighteenth," and inserting in lieu thereof, the words "Friday, the twentieth:"

It was resolved in the affirmative.

And then the main question being put, that the House do agree to the resolution so amended,

It was resolved in the affirmative.

On motion,

Ordered, That the committee of Privileges and Elections be discharged from further proceeding on the petition of Thomas Stith, and that the petitioner have leave to withdraw the same.

The Convention then, according to the order of the day, again resolved itself into a committee of the whole Convention, to take into farther consideration, the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, ten o'clock.

SATURDAY, June 7th, 1788.

Mr. Wythe reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration, the petition of Richard Morris, complaining of an undue election and return of Mr. William White, as a Delegate to serve in this Convention for the county of Louisa, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at

the clerk's table, where the same were again severally twice read, and agreed to by the House, as followeth :

Resolved, that it is the opinion of this committee, That the petitioner do, either by himself or his agent, within two days, deliver to the sitting member or his agent, lists of the persons intended by the petitioner to be objected to, who voted for the sitting member, giving in the said lists the several heads of objections, and distinguishing the same against the names of the votes objected to; and that the sitting member do, by himself or his agent, on or before the sixteenth day of this instant (June) deliver the like lists, on his part, to the petitioner or his agent.

Resolved, that it is the opinion of this committee, That the depositions of the witnesses, as well on behalf of the petitioner as the sitting member, be taken before Nelson Anderson, Waddy Thompson, and Charles Yancey, gentlemen, and Thomas Johnson the sheriff of the said county of Louisa, or any three of them.

Resolved, that it is the opinion of this committee, That the farther consideration of the said petition be deferred until Wednesday, the eighteenth of this instant (June.)

The Convention then, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, on Monday next, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until Monday morning, ten o'clock.

MONDAY, June 9th, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, ten o'clock.

TUESDAY, June 10th, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, ten o'clock.

WEDNESDAY, June 11th, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, ten o'clock.

THURSDAY, June 12th, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, nine o'clock.

FRIDAY, June 13th, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration, the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein; but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, nine o'clock.

SATURDAY, June 14th, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration, the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, on Monday next, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until Monday morning, nine o'clock.

MONDAY, June 16th, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration, the proposed Constitution of Government for the United

States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, nine o'clock.

TUESDAY, June 17, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration, the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, nine o'clock.

WEDNESDAY, June 18, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration, the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, nine o'clock.

THURSDAY, June 19, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned, until to-morrow morning, nine o'clock.

FRIDAY, June 20, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration, the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, nine o'clock.

SATURDAY, June 21, 1788.

Mr. Harrison reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their farther consideration, the petition of Mr. Richard Morris, complaining of an undue election and return of Mr. William White, as a Delegate to serve in this Convention, for the county of Louisa, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, from the deposition of Garrett Minor, that about the fourteenth of May last, he applied to Heckley Young,

who voted for the sitting member, to be informed from him, what entitled him to vote for Delegates to Convention; who informed the deponent, that he voted on one hundred acres of land, but that he never had a deed or conveyance for the same; and is on the land-roll for the year 1787.

It also appears to your committee, from the deposition of Thomas Pulliam, who voted for the sitting member, that his father hath given him land, but had never made him a deed for any, and that he has had possession of the land nine or ten years, and has paid the taxes for the year 1786; and that it has been laid off several years.

It also appears to your committee, from the deposition of Thomas Johnson, jun. sheriff, that he heard William Price say, who voted for the sitting member, that he had in his possession a tract of land, verbally given him by his father, William Price, but never had a deed from him for the same, though he has had it in possession several years, and has paid the taxes for the years 1786 and 1787.

It also appears to your committee, from the deposition of Waddy Thompson, that he has promised to give his son, Waddy Thompson, jun. who voted for the sitting member, a tract of land in the said county of Louisa, but never made him a deed for it; and that he is not a freeholder, that he knows of.

It also appears to your committee, from the deposition of Benjamin Clarke, who voted for the sitting member, that he is possessed of a tract of land, devised to him by his father, at his mother's death: and it appears, from the testimony of John Poindexter, that the mother is now living; that he is on the land-roll, and has paid the taxes out of his own and his mother's property.

It also appears to your committee, from the deposition of Thomas Merriwether, that he heard Bartlett Anderson say, who voted for the sitting member, that he had no deed made him for any land in Louisa, and that at the time of his voting he was sensible he had not a right to vote.

It also appears to your committee, from the deposition of Asa Hall, who voted for the sitting member, that he purchased land about three years ago, but never had a deed for it; and that he has not any other land; and has his bond for a right.

It also appears to your committee, from the deposition of William Hughes, that he gave to his son, Joshua Hughes, who voted for the sitting member, a tract of land, supposed to contain ninety acres, which he has lived on about twelve years, but never made him a deed for the same; that he is well acquainted with John Bibb, who voted for the sitting member, and never knew him to have a lawful right to any land in Louisa, although he has been sheriff, commissioner, and assessor, in the said county: and that from the testimony of Thomas Barnett, it appears, that, after the election of members to the Convention, in Louisa, John Bibb informed him he had no title to any land in the county, and that the land, on which he lived, he rented from year to year: that Joshua Hughes is on the land-roll.

It also appears to your committee, from the deposition of John Vest, who voted for the sitting member, that he purchased a tract of land of Richard Powlett, which he took possession of in December, 1787; and

that at December Louisa court last, the said Powlett acknowledged a deed for the said land, which was ordered to be recorded; and that Powlett was not allowed to vote on the said land.

It also further appears to your committee, from the deposition of Isaac Thacker, who voted for the sitting member, that about sixteen years past he sold, and conveyed by deed, all the land he possessed in Louisa, to John Richmond, but the deed has never been recorded.

It also appears to your committee, from the depositions of Nelson Anderson and Thomas Meriwether, that they heard Charles Jackson, who voted for the sitting member, say, that his father had given him a tract of land, which he has had possession of several years, but he had never made him a deed for the same; and that his father is still living, and that he is on the land-roll, and has paid the tax for the year 1787.

It also appears to your committee, from the deposition of John Sringer, who voted for the sitting member, that his father, Edmund Sringer, has given him eighty acres of land, which he has been in possession of about three years, but never had a deed for the same; and that he lives on the land.

It also appears to your committee, from the deposition of Martin Sharp, who voted for the sitting member, that his father had promised to give him the tract of land on which he then lived, but never had made a deed for the same; and that he pays the taxes of the land to his father.

It appears to your committee, that Charles Jackson, Bartlett Anderson, Waddy Thompson, junior, Heckley Young, and John Bibb, were summoned, but failed to appear before the commissioners.

The sitting member having failed to furnish the petitioner with a list of the voters to which he objected, or to attend in the county the examination of those objected to by the petitioner, the committee proceeded to examine the report from commissioners; and some doubts arising as to the evidence furnished respecting the qualification of some of the voters, witnesses were called on to give testimony, and also the land-roll introduced, respecting the same, by consent of the parties.

The sitting member afterwards required permission to have *viva voce testimony*, and the said land-roll also introduced, to prove the disqualification of several of the voters for the petitioner, which was rejected, because the sitting member had not furnished the petitioner with a list of objectionable votes, agreeable to the Resolution of the Convention, and it would therefore be out of his power to produce evidence in support of such votes, and because the petitioner would not consent to it.

It also appears to your committee, that the number of votes at the close of the poll stood as follows:

For Mr. William White,	-	-	199
For Mr. Richard Morris,	-	-	195

Resolved, that it is the opinion of this committee, That such of the voters on the poll of the sitting member as appeared only to have an equitable title to their lands, were not qualified to vote for Delegates to the General Assembly.

Resolved, that it is the opinion of this committee, That Heckley Young, Thomas Pulliam, William Price, Waddy Thompson, junior, Benjamin Clark, Asa Hall, Joshua Hughes, John Vest, Charles Jack-

son, John Stringer, and Martin Sharp, had only an equitable, and not a legal title to the lands on which they severally voted.

Resolved, that it is the opinion of this committee, That Bartlett Anderson, John Bibb, and Isaac Thacker, had neither an equitable, nor legal title to the lands on which they respectively voted.

Resolved, that it is the opinion of this committee, That after taking from Mr. White's number the votes of the aforesaid persons, the poll will stand as followeth:

For Mr. Richard Morris,	-	-	195
For Mr. William White,	-	-	185

Resolved, that it is the opinion of this committee, That Mr. Richard Morris has a majority of Electors qualified by law to choose Delegates to the General Assembly.

Resolved, that it is the opinion of this committee, That the said Richard Morris was duly elected a Delegate to represent the said county of Louisa in this Convention.

The said Report and Resolutions were severally again read, and, on a motion made, ordered to be re-committed to the same committee.

On a motion made,

Ordered, That the committee of Privileges and Elections be instructed to receive such *viva voce testimony*, or such other satisfactory evidence, as the sitting member and the petitioner shall be able to produce, to support their objections to such votes, as they shall respectively furnish a list of, each to the other, before Monday next: And that the said petition be finally heard before the said committee on Thursday next.

Ordered, That Messrs. Richard Cary and Samuel Hopkins, be added to the committee of Privileges and Elections.

On motion,

Ordered, That the committee of Privileges and Elections be discharged from further proceeding on the petition of Richard Morris, and that the petitioner have leave to withdraw the same.

The Convention then, according to the order of the day, again resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Wythe reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, on Monday next, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until Monday morning, nine o'clock.

MONDAY, June 23, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther con-

sideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Harrison reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, ten o'clock.

TUESDAY, June 24, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Mathews reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move the Convention for leave to sit again.

Resolved, That this Convention will, to-morrow, again resolve itself into a committee of the whole Convention, on the said proposed Constitution of Government.

And then the Convention adjourned until to-morrow morning, ten o'clock.

WEDNESDAY, June 25, 1788.

The Convention, according to the order of the day, resolved itself into a committee of the whole Convention, to take into farther consideration the proposed Constitution of Government for the United States; and after some time spent therein, Mr. President resumed the chair, and Mr. Mathews reported, that the committee had, according to order, again had the said proposed Constitution under their consideration, and had gone through the same, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

Whereas, the powers granted under the proposed Constitution, are the gift of the people, and every power not granted thereby, remains with them, and at their will: No right, therefore, of any denomination, can be cancelled, abridged, restrained or modified by the Congress, by the Senate, or House of Representatives, acting in any capacity; by the President, or any Department, or Officer of the United States,

except in those instances in which power is given by the Constitution for those purposes : And among other essential rights, liberty of conscience and of the press, cannot be cancelled, abridged, restrained or modified, by any authority of the United States.

And whereas, any imperfections which may exist in the said Constitution ought rather to be examined in the mode prescribed therein for obtaining amendments, than by a delay, with a hope of obtaining previous amendments, to bring the Union into danger :

Resolved, that it is the opinion of this committee, That the said Constitution be ratified.

But in order to relieve the apprehensions of those who may be solicitous for amendments,

Resolved, that it is the opinion of this committee, That whatsoever amendments may be deemed necessary, be recommended to the consideration of the Congress, which shall first assemble under the said Constitution, to be acted upon according to the mode prescribed in the fifth article thereof.

The first resolution being read a second time, a motion was made, and the question being put to amend the same, by substituting in lieu of the said resolution and its preamble, the following resolution :

“Resolved, That previous to the ratification of the new Constitution of Government, recommended by the late Federal Convention, a Declaration of Rights, asserting and securing from encroachment the great principles of Civil and Religious Liberty, and the unalienable rights of the PEOPLE, together with amendments to the most exceptionable parts of the said Constitution of Government, ought to be referred by this Convention to the other States in the American Confederacy, for their consideration.”

It passed in the negative—Ayes 80—Noes 88.

On motion of Mr. Patrick Henry, seconded by Mr. Theoderick Bland, the Ayes and Noes on the said question were taken, as followeth :

AYES—Messrs. Edmund Custis, John Pride, Edmund Booker, William Cabell, Samuel Jordan Cabell, John Trigg, Charles Clay, Henry Lee (of Bourbon), The Honorable John Jones, Binns Jones, Charles Patteson, David Bell, Robert Alexander, Edmund Winston, Thomas Read, Benjamin Harrison, The Honorable John Tyler, David Patteson, Stephen Pankey, jr. Joseph Michaux, Thomas H. Drew, French Strother, Joel Early, Joseph Jones, William Watkins, Meriwether Smith, James Upshaw, John Fowler, Samuel Richardson, Joseph Haden, John Early, Thomas Arthurs, John Guerrant, William Sampson, Isaac Coles, George Carrington, Parke Goodall, John Carter Littlepage, Thomas Cooper, John Marr, Thomas Roane, Holt Richeson, Benjamin Temple, Stephens Thompson Mason, William White, Jonathan Patterson, Christopher Robertson, John Logan, Henry Pawling, John Miller, Green Clay, Samuel Hopkins, Richard Kennon, Thomas Allen, Alexander Robertson, John Evans, Walter Crocket, Abraham Trigg, Matthew Walton, John Steele, Robert Williams, John Wilson (of Pittsylvania), Thomas Turpin, Patrick Henry, Robert Lawson, Edmund Ruffin, Theoderick Bland, William Grayson, Cuthbert Bullitt, Thomas Carter, Henry Dickenson, James

Monroe, John Dawson, George Mason, Andrew Buchanan, John Howell Briggs, Thomas Edmunds, The Honorable Richard Cary, Samuel Edmison, and James Montgomery—80.

NOES—The Honorable Edmund Pendleton, Esquire, President, Messrs. George Parker, George Nicholas, Wilson Nicholas, Zachariah Johnson, Archibald Stuart, William Dark, Adam Stephen, Martin M'Ferran, William Fleming, James Taylor (of Caroline), The Honorable Paul Carrington, Miles King, Worlich Westwood, David Stuart, Charles Simms, Humphrey Marshall, Martin Pickett, Humphrey Brooke, John S. Woodcock, Alexander White, Warner Lewis, Thomas Smith, George Clendinen, John Stuart, William Mason, Daniel Fisher, Andrew Woodrow, Ralph Humphreys, George Jackson, John Prunty, Isaac Vanmiter, Abel Seymour, His Excellency Governor Randolph, John Marshall, Nathaniel Burwell, Robert Andrews, James Johnson, Robert Breckenridge, Rice Bullock, William Fleet, Burdet Ashton, William Thornton, James Gordon (of Lancaster), Henry Towles, Levin Powell, William Overton Callis, Ralph Wormeley jr. Francis Corbin, William M'Clerry, Willis Riddick, Solomon Sheppard, William Clayton, Burwell Bassett, James Webb, James Taylor (of Norfolk), John Stringer, Littleton Eyre, Walter Jones, Thomas Gaskins, Archibald Woods, Ebenezer Zane, The Honorable James Madison, James Gordon (of Orange), William Ronald, Anthony Watke, Thomas Watke, Benjamin Wilson, John Wilson (of Randolph), Walker Tomlin, William Peachey, William M'Kee, Andrew Moore, Thomas Lewis, Gabriel Jones, Jacob Rinker, John Williams, Benjamin Blant, Samuel Kello, John Hartwell Cocke, John Allen, Cole Digges, Henry Lee (of Westmoreland), Bushrod Washington, The Honorable John Blair, The Honorable George Wythe, James Innes, and Thomas Mathews—88.

And then the main question being put that the Convention do agree with the committee in the said first resolution,

It was resolved in the affirmative—Ayes 89—Noes 79.

On motion of Mr. George Mason, seconded by Mr. Patrick Henry, the Ayes and Noes on the said main question were taken as followeth:

AYES—The Honorable Edmund Pendleton, Esquire, President, Messrs. George Parker, George Nicholas, Wilson Nicholas, Zachariah Johnson, Archibald Stuart, William Dark, Adam Stephen, Martin M'Ferran, William Fleming, James Taylor (of Caroline), The Honorable Paul Carrington, David Patteson, Miles King, Worlich Westwood, David Stuart, Charles Simms, Humphrey Marshall, Martin Pickett, Humphrey Brooke, John Shearman Woodcock, Alexander White, Warner Lewis, Thomas Smith, George Clendinen, John Stuart, William Mason, Daniel Fisher, Andrew Woodrow, Ralph Humphreys, George Jackson, John Prunty, Isaac Vanmiter, Abel Seymour, His Excellency Governor Randolph, John Marshall, Nathaniel Burwell, Robert Andrews, James Johnson, Robert Breckenridge, Rice Bullock, William Fleet, Burdet Ashton, William Thornton, James Gordon (of Lancaster), Henry Towles, Levin Powell, William Overton Callis, Ralph Wormeley, jr. Francis Corbin, William M'Clerry, Willis Riddick, Solomon Sheppard, William Clayton, Burwell Bassett, James Webb, James Taylor (of Norfolk), John

Stringer, Littleton Eyre, Walter Jones, Thomas Gaskins, Archibald Woods, Ebenezer Zane, The Honorable James Madison, James Gordon (of Orange), William Ronald, Anthony Walke, Thomas Walke, Benjamin Wilson, John Wilson (of Randolph), Walker Tomlin, William Peachey, William M'Kee, Andrew Moore, Thomas Lewis, Gabriel Jones, Jacob Rinker, John Williams, Benjamin Blunt, Samuel Kello, John Hartwell Cocke, John Allen. Cole Digges, Henry Lee (of Westmoreland), Bushrod Washington, The Honorable John Blair, The Honorable George Wythe, James Innes, and Thomas Mathews—
89.

NOES—Messrs. Edmund Custis, John Pride, Edmund Booker, William Cabell, Samuel Jordan Cabell, John Trigg, Charles Clay, Henry Lee (of Bourbon), The Honorable John Jones, Binns Jones, Charles Patteson, David Bell, Robert Alexander, Edmund Winston, Thomas Read, Benjamin Harrison, The Honorable John Tyler, Stephen Pankey, jr. Joseph Michaux, Thomas H. Drew, French Strother, Joel Early, Joseph Jones, William Watkins, Meriwether Smith. James Upshaw, John Fowler, Samuel Richardson, Joseph Haden, John Early, Thomas Arthurs, John Guerrant, William Sampson, Isaac Coles, George Carrington, Parke Goodall, John Carter Littlepage, Thomas Cooper, John Marr, Thomas Roane, Holt Richeson, Benjamin Temple, Stephens Thompson Mason, William White, Jonathan Patteson, Christopher Robertson, John Logan, Henry Pawling, John Miller, Green Clay, Samuel Hopkins, Richard Kennon, Thomas Allen, Alexander Robertson, John Evans, Walter Crockett, Abraham Trigg, Matthew Walton, John Steele, Robert Williams, John Wilson (of Pittsylvania), Thomas Turpin, Patrick Henry, Robert Lawson, Edmund Ruffin, Theoderick Bland, William Grayson, Cuthbert Bullitt, Thomas Carter, Henry Dickenson, James Monroe, John Dawson, George Mason, Andrew Buchanan, John Howell Briggs, Thomas Edmunds, The Honorable Richard Cary, Samuel Edmison, and James Montgomery.

The second resolution being then read a second time, a motion was made, and the question being put to amend the same by striking out the preamble thereto,

It was resolved in the affirmative.

And then the main question being put that the Convention do agree with the committee in the second resolution so amended,

It was resolved in the affirmative.

On motion,

Ordered, That a committee be appointed to prepare and report a form of ratification, pursuant to the first resolution; and that his Excellency Governor Randolph, Messrs. Nicholas, Madison, Marshall, and Corbin, compose the said committee.

On motion,

Ordered, That a committee be appointed to prepare and report such amendments as shall by them be deemed necessary to be recommended, pursuant to the second resolution; and that the Honorable George Wythe, Messrs. Harrison, Mathews, Henry, His Excellency Governor Randolph, George Mason, Nicholas, Grayson, Madison, Tyler, John Marshall, Monroe, Ronald, Bland, Meriwether Smith, The Honorable

Paul Carrington, Innes, Hopkins, The Honorable John Blair, and Simms, compose the said committee.

His Excellency Governor Randolph reported, from the committee appointed, according to order, a form of ratification, which was read and agreed to by the Convention, in the words following :

Virginia, to wit :

WE, the DELEGATES of the PEOPLE of VIRGINIA, duly elected in pursuance of a recommendation from the General Assembly, and now met in Convention, having fully and freely investigated and discussed the proceedings of the Federal Convention, and being prepared, as well as the most mature deliberation hath enabled us, to decide thereon, DO, in the name and in behalf of the PEOPLE of VIRGINIA, declare and make known, that the powers granted under the Constitution, being derived from the PEOPLE of the UNITED STATES, may be resumed by them whensoever the same shall be perverted to their injury or oppression, and that every power not granted thereby, remains with them, and at their will: that, therefore, no right, of any denomination, can be cancelled, abridged, restrained, or modified, by the Congress, by the Senate or House of Representatives, acting in any capacity, by the President, or any Department, or officer of the UNITED STATES, except in those instances in which power is given by the CONSTITUTION, for those purposes: and that, among other essential rights, the liberty of conscience, and of the press, cannot be cancelled, abridged, restrained, or modified, by any authority of the UNITED STATES.

With these impressions, with a solemn appeal to the searcher of hearts for the purity of our intentions, and under the conviction, that whatsoever imperfections may exist in the Constitution, ought rather to be examined in the mode prescribed therein, than to bring the Union into danger by a delay, with a hope of obtaining amendments, previous to the ratification :

WE, the said DELEGATES, in the name and in behalf of the PEOPLE of VIRGINIA, DO, by these presents, ASSENT TO, and RATIFY the CONSTITUTION, recommended on the seventeenth day of September, one thousand seven hundred and eighty seven, by the FEDERAL CONVENTION for the Government of the UNITED STATES, hereby announcing to all those whom it may concern, that the said Constitution is binding upon the said People, according to an authentic copy hereto annexed, in the words following :

WE, the PEOPLE of the UNITED STATES, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of Liberty to ourselves and our posterity, DO ORDAIN AND ESTABLISH THIS CONSTITUTION for the UNITED STATES of AMERICA.

ARTICLE I.

SECTION 1. All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States,

and the Electors in each State shall have the qualifications requisite for Electors of the most numerous branch of the State Legislature.

No person shall be a Representative, who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives, and Direct Taxes, shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New-Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia one.

When vacancies happen in the representation from any State, the Executive authority thereof shall issue Writs of Election to fill such vacancies.

The House of Representatives shall choose their Speaker and other Officers; and shall have the sole power of Impeachment.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year: so that one-third may be chosen every second year. And if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of the State for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided.

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

A. The Senate shall have the sole power to try all Impeachments. When sitting for that purpose, they shall be on oath or affirmation.

When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment, in cases of Impeachment, shall not extend farther than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION 4. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State, by the Legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION 5. Each House shall be the judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorised to compel the attendance of absent members, in such manner, and under such penalties, as each House may provide.

Each House may determine the Rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the Yeas and Nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

Neither House, during the session of Congress shall, without the consent of the other, adjourn for more than three days, nor to any other place, than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments shall have been increased, during such time; and no person holding any office under the United States, shall be a member of either House during his continuance in office.

SECTION 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose, or concur with amendments, as in other bills.

Every bill, which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not

he shall return it with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to re-consider it. If, after such re-consideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be re-considered; and if approved by that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by Yeas and Nays, and the names of the persons voting for, and against, the bill shall be entered on the Journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return: in which case, it shall not be a law.

Every order, resolution or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment,) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION 8. The Congress shall have power :

To lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare of the United States; but all duties, imposts and excises, shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the States respectively, the appointment of the officers, and the authority of training the militia, according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SECTION 9. The migration or importation of such persons, as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation not exceeding ten dollars for each person.

The privilege of the writ of Habeas Corpus shall not be suspended, unless, when, in cases of rebellion or invasion, the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation or other direct tax shall be laid, but in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles from any State. No preference shall be given by any regulation of commerce, or revenue, to the ports of one State, over those of another: nor shall vessels bound to, or from one State, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the Treasury but in consequence of appropriations made by law: and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States. And no person holding any office of profit or trust under them shall, without the consent of Congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince or foreign state.

SECTION 10. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal, coin money, emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law or laws, impairing the obligation of contracts, or grant any title of nobility.

No State shall, without the consent of the Congress, lay any duties on imports or exports, except what may be absolutely necessary for executing its inspection laws, and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No State shall, without the consent of the Congress, lay any duty on tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION 1. The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows :

Each State shall appoint in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress : but no Senator or Representative, or person holding any office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least, shall not be an inhabitant of the same State with themselves. And they shall make a list of the persons voted for, and of the number of votes for each ; which list they shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed ; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose one of them for President ; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote ; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes ; which day shall be the same throughout the United States.

No person except a natural born citizen, or citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President ; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen years a resident within the United States.

In case of removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress

may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President, shall, at stated times receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States."

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion in writing of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences, against the United States, except in cases of Impeachment.

He shall have power, by and with the advice and consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the Courts of law, or in the heads of Departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting Commissions, which shall expire at the end of their next session.

SECTION 3. He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient: he may, on extraordinary occasions, convene both Houses or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION 1. The Judicial power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress

may, from time to time, ordain and establish. The Judges, both of the Supreme and Inferior Courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation which shall not be diminished during their continuance in office.

SECTION 2. The Judicial power shall extend to all cases, in law and equity, arising under this Constitution; the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting Ambassadors, other public Ministers and Consuls; to all cases of Admiralty and Maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State or the citizens thereof, and foreign States, citizens or subjects.

In all cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed: but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION 1. Full faith and credence shall be given in each State to the public acts, records and judicial proceedings of every other State. And the Congress may by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION 2. The citizens of each State shall be entitled to all privileges of citizens in the several States.

A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be de-

livered up on claim of the party to whom such service or labor may be due.

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States or parts of States, without the consent of the Legislatures of the States concerned. as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a Republican form of Government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on application of the Legislatures of two thirds of the several States, shall call a Convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may be made prior to the year one thousand eight hundred and eight, shall, in any manner, affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this Constitution shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution, but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the Conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

On motion,

Ordered, That the Secretary of this Convention cause to be engrossed, forthwith, two fair copies of the form of ratification, and of the proposed Constitution of Government, as recommended by the Federal Convention on the seventeenth day of September, one thousand seven hundred and eighty-seven.

And then the Convention adjourned until to-morrow, twelve o'clock.

THURSDAY, June 26, 1788.

An engrossed form of ratification agreed to yesterday, containing the proposed Constitution of Government, as recommended by the Federal Convention on the seventeenth day of September, one thousand seven hundred and eighty-seven, being prepared by the Secretary, was read, and signed by the President in behalf of the Convention.

On motion,

Ordered, That the said ratification be transmitted by the President, in the name of this Convention, to the United States in Congress assembled.

On motion,

Ordered, That there be allowed to the President of this Convention for his services, the sum of forty shillings per day, including his daily pay as a member; to the Secretary, the sum of forty pounds; to the Chaplain, the sum of thirty-two pounds; to the Serjeant, the sum of twenty-four pounds; to the Clerk of the committee of Privileges and Elections, the sum of twenty pounds; and to each of the Door-keepers, the sum of fifteen pounds for their respective services.

And then the Convention adjourned, until to-morrow morning, ten o'clock.

FRIDAY, June 27, 1788.

Another engrossed form of the ratification agreed to on Wednesday last, containing the proposed Constitution of Government, as recommended by the Federal Convention on the seventeenth day of September, one thousand seven hundred and eighty-seven, being prepared by the Secretary, was read, and signed by the President in behalf of the Convention.

On motion,

Ordered, That the said ratification be deposited by the Secretary of this Convention in the archives of the General Assembly of this State.

Mr. Wythe reported, from the committee appointed, such amendments to the proposed Constitution of Government for the United States, as were by them deemed necessary to be recommended to the consideration of the Congress which shall first assemble under the said Constitution, to be acted upon according to the mode prescribed in the fifth article thereof; and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again read, and are as followeth:

That there be a Declaration or Bill of Rights asserting and securing from encroachment the essential and unalienable rights of the people in some such manner as the following:

1. That there are certain natural rights of which men, when they form a social compact, cannot deprive or divest their posterity; among which are the enjoyment of life and liberty, with the means of acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety.

2. That all power is naturally vested in, and consequently derived from, the people; that magistrates, therefore, are their trustees and agents, and at all times amenable to them.

3. That Government ought to be instituted for the common benefit, protection and security of the people; and that the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish, and destructive to the good and happiness of mankind.

4. That no man, or set of men, are entitled to exclusive or separate public emoluments or privileges from the community, but in consideration of public services; which not being descendible, neither ought the offices of Magistrate, Legislator, or any other public office to be hereditary.

5. That the Legislative, Executive and Judiciary powers of Government should be separate and distinct; and that the members of the two first may be restrained from oppression, by feeling and participating the public burthens, they should at fixed periods be reduced to a private station, return into the mass of the people; and the vacancies be supplied by certain and regular elections; in which all or any part of the former members to be eligible or ineligible, as the rules of the Constitution of Government and the laws shall direct.

6. That the elections of Representatives in the Legislature ought to be free and frequent, and all men having sufficient evidence of permanent common interest with, and attachment to the community, ought to have the right of suffrage: and no aid, charge, tax or fee can be set, rated, or levied upon the people, without their own consent, or that of their Representatives so elected, nor can they be bound by any law, to which they have not, in like manner, assented for the public good.

7. That all power of suspending laws, or the execution of laws, by any authority, without the consent of the Representatives of the people in the Legislature, is injurious to their rights, and ought not to be exercised.

8. That in all criminal and capital prosecutions, a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence and be allowed counsel in his favor, and to a fair and speedy trial by an impartial jury of his

vicinage; without whose unanimous consent he cannot be found guilty, (except in the government of the land and naval forces,) nor can any man be compelled to give evidence against himself.

9. That no freeman ought to be taken, imprisoned, or disseized of his freehold, liberties, privileges or franchises, or outlawed or exiled, or in any manner destroyed or deprived of life, liberty or property, but by the law of the land.

10. That every freeman restrained in his liberty, is entitled to a remedy to inquire into the lawfulness thereof, and to remove the same, if unlawful, and that such remedy ought not to be denied nor delayed.

11. That in controversies respecting property, and in disputes between man and man, the ancient trial by jury is one of the greatest securities to the rights of the people, and ought to remain sacred and inviolable.

12. That every freeman ought to find a certain remedy by recourse to the laws for all injuries and wrongs he may receive in his person, property or character. He ought to obtain right and justice freely, without sale; completely, and without denial; promptly, and without delay; and that all establishments or regulations contravening these rights, are oppressive and unjust.

13. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

14. That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers, and property; all warrants, therefore, to search suspected places, or seize any freeman, his papers or property, without information upon oath (or affirmation of a person religiously scrupulous of taking an oath) of legal and sufficient cause, are grievous and oppressive, and all general warrants to search suspected places, or to apprehend any suspected person without specially naming or describing the place or person, are dangerous, and ought not to be granted.

15. That the people have a right peaceably to assemble together to consult for the common good, or to instruct their Representatives; and that every freeman has a right to apply to the Legislature for redress of grievances.

16. That the people have a right to freedom of speech and of writing and publishing their sentiments; that the freedom of the press is one of the greatest bulwarks of liberty, and ought not to be violated.

17. That the people have a right to keep and bear arms; that a well regulated militia, composed of the body of the people trained to arms, is the proper, natural and safe defence of a free State. That standing armies in time of peace are dangerous to liberty, and therefore ought to be avoided, as far as the circumstances and protection of the community will admit; and that in all cases, the military should be under strict subordination to, and governed by, the civil power.

18. That no soldier in time of peace ought to be quartered in any house without the consent of the owner, and in time of war in such manner only as the laws direct.

19. That any person religiously scrupulous of bearing arms, ought to be exempted upon payment of an equivalent to employ another to bear arms in his stead.

20. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence, and therefore all men have an equal, natural and unalienable right to the free exercise of religion according to the dictates of conscience, and that no particular religious sect or society ought to be favored or established by law in preference to others.

AMENDMENTS TO THE CONSTITUTION.

1. That each State in the Union shall respectively retain every power, jurisdiction and right, which is not by this Constitution delegated to the Congress of the United States, or to the Departments of the Federal Government.

2. That there shall be one Representative for every thirty thousand, according to the enumeration or census mentioned in the Constitution, until the whole number of Representatives amounts to two hundred; after which that number shall be continued or increased, as Congress shall direct, upon the principles fixed in the Constitution, by apportioning the Representatives of each State to some greater number of people, from time to time, as population increases.

3. When the Congress shall lay direct taxes or excises, they shall immediately inform the Executive power of each State, of the quota of such State according to the census herein directed, which is proposed to be thereby raised; and if the Legislature of any State shall pass a law which shall be effectual for raising such quota at the time required by Congress, the taxes and excises laid by Congress shall not be collected in such State.

4. That the members of the Senate and House of Representatives shall be ineligible to, and incapable of holding, any civil office under the authority of the United States, during the time for which they shall respectively be elected.

5. That the Journals of the proceedings of the Senate and House of Representatives shall be published at least once in every year, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy.

6. That a regular statement and account of the receipts and expenditures of all public money shall be published once in every year.

7. That no commercial treaty shall be ratified without the concurrence of two-thirds of the whole number of the members of the Senate; and no treaty, ceding, contracting, restraining or suspending the territorial rights or claims of the United States, or any of them, or their, or any of their rights or claims to fishing in the American Seas, or navigating the American Rivers, shall be made but in cases of the most urgent and extreme necessity, nor shall any such treaty be ratified without the concurrence of three-fourths of the whole number of the members of both Houses respectively.

8. That no navigation law, or laws, regulating Commerce, shall be passed without the consent of two-thirds of the members present in both Houses.

9. That no standing army or regular troops shall be raised or kept up in time of peace, without the consent of two-thirds of the members present in both Houses.

10. That no soldier shall be enlisted for any longer term than four years, except in time of war, and then for no longer term than the continuance of the war.

11. That each State respectively shall have the power to provide for organizing, arming and disciplining its own militia, whensoever Congress shall omit or neglect to provide for the same. That the militia shall not be subject to martial law, except when in actual service in time of war, invasion or rebellion; and when not in the actual service of the United States, shall be subject only to such fines, penalties, and punishments, as shall be directed or inflicted by the laws of its own State.

12. That the exclusive power of legislation given to Congress over the Federal Town and its adjacent district, and other places purchased or to be purchased by Congress of any of the States, shall extend only to such regulations as respect the police and good government thereof.

13. That no person shall be capable of being President of the United States for more than eight years in any term of sixteen years.

14. That the Judicial power of the United States shall be vested in one Supreme Court and in such Courts of Admiralty as Congress may from time to time ordain and establish in any of the different States. The Judicial power shall extend to all cases in law and equity arising under treaties made, or which shall be made, under the authority of the United States; to all cases affecting Ambassadors, other foreign Ministers and Consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, and between parties claiming lands under the grants of different States. In all cases affecting Ambassadors, other foreign Ministers and Consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction; in all other cases the Supreme Court shall have appellate jurisdiction, as to matters of law only: except in cases of equity and of admiralty and maritime jurisdiction, in which the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make: but the judicial power of the United States shall extend to no case where the cause of action shall have originated before the ratification of this Constitution; except in disputes between States about their territory; disputes between persons claiming lands under the grants of different States, and suits for debts due to the United States.

15. That in criminal prosecutions, no man shall be restrained in the exercise of the usual and accustomed right of challenging or excepting to the Jury.

16. That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for Senators and Representatives, or either of them, except when the Legislature of any State shall neglect, refuse, or be disabled by invasion or rebellion to prescribe the same.

17. That those clauses which declare that Congress shall not exercise certain powers be not interpreted in any manner whatsoever, to extend the powers of Congress; but that they be construed either as making exceptions to the specified powers of Congress where this shall be the case, or otherwise, as inserted merely for greater caution.

18. That the laws ascertaining the compensation of Senators and Representatives for their services be postponed in their operation until after the election of Representatives immediately succeeding the passing thereof, that excepted, which shall first be passed on the subject.

19. That some tribunal other than the Senate be provided for trying impeachments of Senators.

20. That the salary of a Judge shall not be increased or diminished during his continuance in office, otherwise than by general regulations of salary which may take place on a revision of the subject at stated periods of not less than seven years, to commence from the time such salaries shall be first ascertained by Congress.

And the Convention do, in the name and behalf of the people of this Commonwealth, enjoin it upon their Representatives in Congress, to exert all their influence and use all reasonable and legal methods to obtain a ratification of the foregoing alterations and provisions in the manner provided by the fifth article of the said Constitution; and in all Congressional laws to be passed in the mean time, to conform to the spirit of these amendments as far as the said Constitution will admit.

And so much of the said amendments as is contained in the first twenty articles, constituting the Bill of Rights, being again read:

Resolved, That this Convention doth concur therein.

The other amendments to the said proposed Constitution, contained in twenty-one articles, being then again read, a motion was made, and the question being put, to amend the same by striking out the third article, containing these words:

“When Congress shall lay direct taxes or excises, they shall immediately inform the Executive power of each State, of the quota of such State according to the census herein directed, which is proposed to be thereby raised; and if the Legislature of any State shall pass a law which shall be effectual for raising such quota at the time required by Congress, the taxes and excises laid by Congress, shall not be collected in such State;”

It passed in the negative—Ayes 65—Noes 85.

On motion of Mr. George Nicholas, seconded by Mr. Benjamin Harrison, the Ayes and Noes on the said question were taken as followeth:

AYES—Messrs. George Parker, George Nicholas, Wilson Nicholas, Zachariah Johnston, Archibald Stuart, William Dark, Adam Stephen, Martin M’Ferran, James Taylor (of Caroline), David Stuart, Charles Simms, Humphrey Marshall, Martin Pickett, Humphrey Brooke, John Shearman Woodcock, Alexander White, Warner Lewis, Thomas Smith, John Stuart, Daniel Fisher, Alexander Woodrow, George Jackson, John Prunty, Abel Seymour, His Excellency Governor Randolph, John Marshall, Nathaniel Burwell, Robert Andrews, James Johnson, Rice Bullock, Burdet Ashton, William Thornton, Henry Towles, Levin Powell, William Overton Callis, Ralph Wormeley, Francis Corbin, William M’Clerry, James Webb, James Taylor (of

Norfolk), John Stringer, Littleton Eyre, Walter Jones, Thomas Gaskins, Archibald Woods, The Honorable James Madison, James Gordon (of Orange), William Ronald, Thomas Walke, Benjamin Walke, John Wilson, William Peachey, Andrew Moore, Thomas Lewis, Gabriel Jones, Jacob Rinker, John Williams, Benjamin Blunt, Samuel Kello, John Allen, Cole Digges, Bushrod Washington, The Honorable George Wythe, and Thomas Mathews—65.

NOES—The Honorable Edmund Pendleton, Esquire, President, Messrs. Edmund Custis, John Pride, William Cabell, Samuel Jordan Cabell, John Trigg, Charles Clay, William Fleming, Henry Lee (of Bourbon), John Jones, Binns Jones, Charles Patteson, David Bell, Robert Alexander, Edmund Winston, Thomas Read, The Honorable Paul Carrington, Benjamin Harrison, The Honorable John Tyler, David Patteson, Stephen Pankey, jun. Joseph Michaux, French Strother, Joseph Jones, Miles King, Joseph Haden, John Early, Thomas Arthurs, John Guerrant, William Sampson, Isaac Coles, George Carrington, Parke Goodall, John Carter Littlepage, Thomas Cooper, William Fleet, Thomas Roane, Holt Richeson, Benjamin Temple, James Gordon (of Lancaster), Stephens Thompson Mason, William White, Jonathan Patteson, John Logan, Henry Pawling, John Miller, Green Clay, Samuel Hopkins, Richard Kennon, Thomas Allen, Alexander Robertson, Walter Crockett, Abraham Trigg, Solomon Shepherd, William Clayton, Burwell Bassett, Matthew Walton, John Steele, Robert Williams, John Wilson, Thomas Turpin, Patrick Henry, Edmund Ruffin, Theoderick Bland, William Grayson, Cuthbert Bullitt, Walker Tomlin, William M'Kee, Thomas Carter, Henry Dickenson, James Monroe, John Dawson, George Mason, Andrew Buchanan, John Hartwell Cocke, John Howell Briggs, Thomas Edmonds, The Honorable Richard Cary, Samuel Edmison, and James Montgomery—85.

And then the main question being put, that this Convention doth concur with the committee in the said amendments,

It was resolved in the affirmative.

On motion,

Ordered, That the foregoing amendments be fairly engrossed upon parchment, signed by the President of this Convention, and by him transmitted, together with the ratification of the Federal Constitution, to the United States in Congress assembled.

On motion,

Ordered, That a fair engrossed copy of the ratification of the Federal Constitution, with the subsequent amendments this day agreed to, signed by the President, and attested by the Secretary of this Convention, be transmitted by the President in the name of the Convention to the Executive or Legislature of each State in the Union.

Ordered, That the Secretary do cause the Journal of the proceedings of this Convention to be fairly entered in a well bound book, and after being signed by the President, and attested by the Secretary, that he deposit the same in the archives of the Privy Council or Council of State.

On motion.

Ordered, That the Printer to this Convention do strike, forthwith, fifty copies of the ratification and subsequent amendments of the Federal Constitution, for the use of each county in the Commonwealth.

On motion,

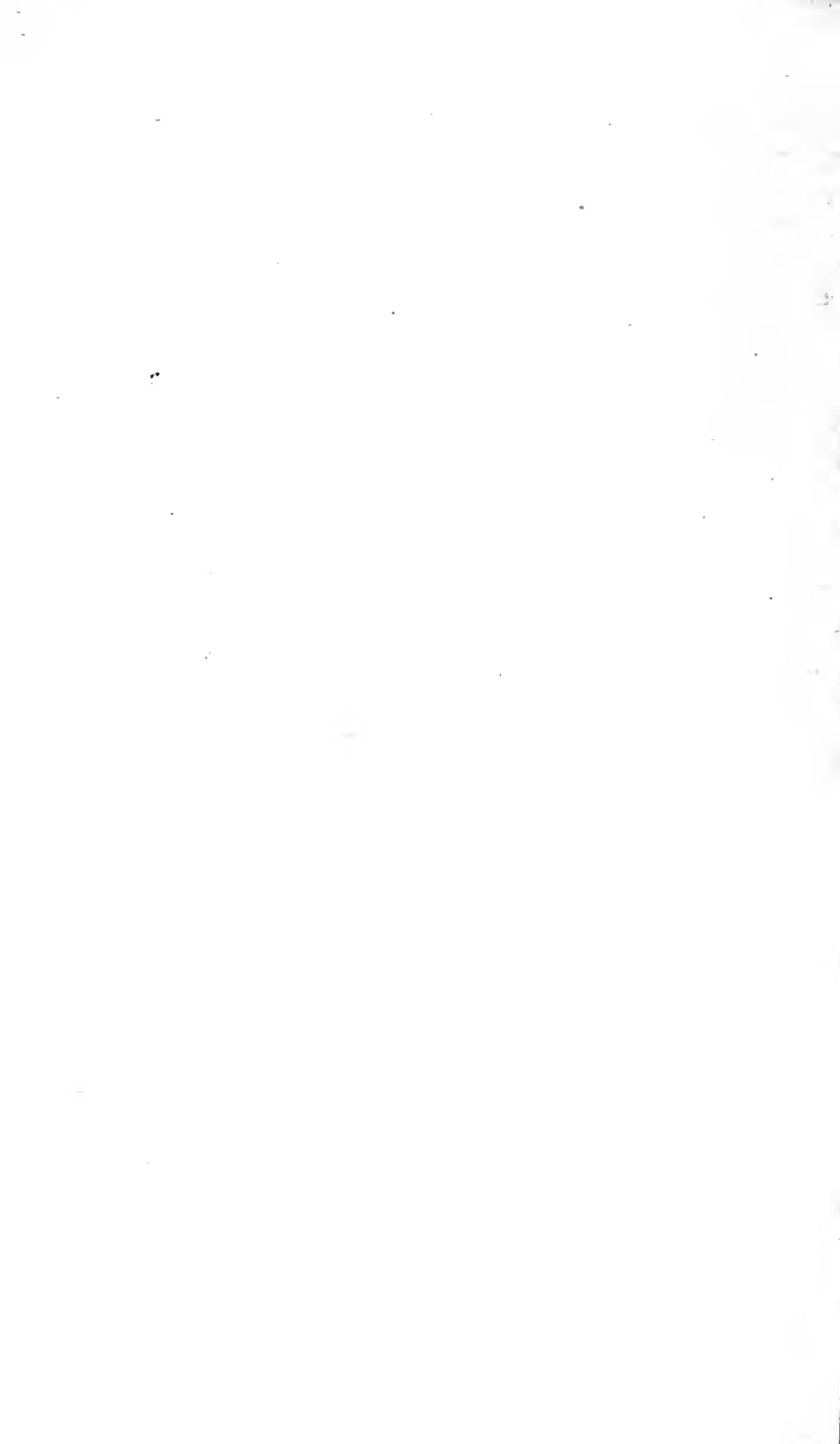
Ordered, That the public Auditor be requested to adjust the accounts of the Printer to the Convention for his services, and of the workman who made some temporary repairs and alterations in the new Academy, for the accommodation of the Convention, and to grant his warrant on the Treasurer for the sum due the respective claimants.

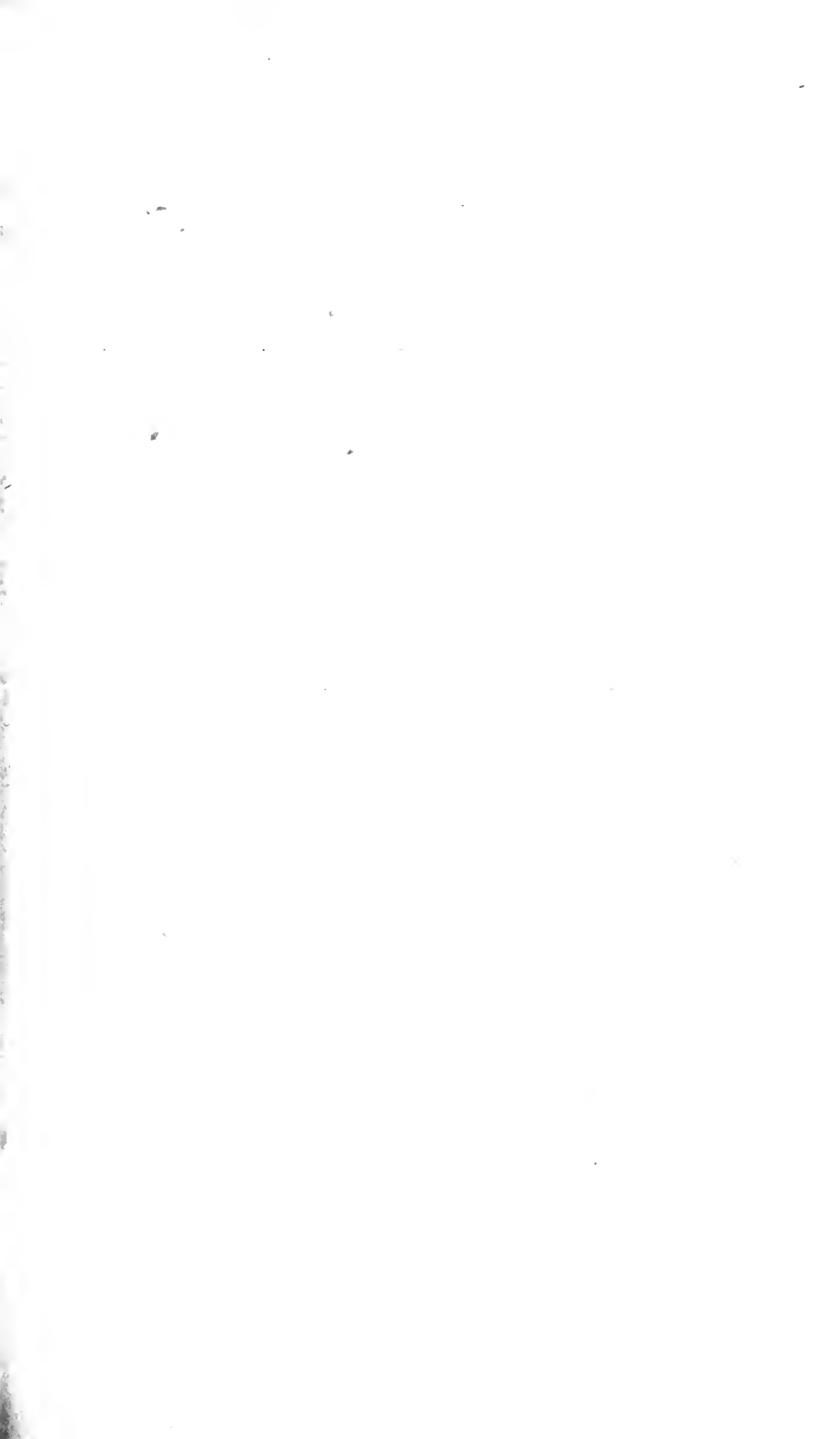
On motion,

Resolved, unanimously, That the thanks of the Convention be presented to the President, for his able, upright, and impartial discharge of the duties of that office.

Whereupon, the President made his acknowledgments to the Convention for so distinguished a mark of their approbation.

And then the Convention adjourned *sine die*.









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